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PTO/SB/30 (08-03)

RCE/1646 IFW

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Request For Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/876,252
Filing Date	06/07/01
First Named Inventor	Dominic P. Behan
Art Unit	1646
Examiner Name	N. Basi
Attorney Docket Number	7.US27.DIV (133091)

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☒ Other Applicants' Reply to Final Rejection of 12/17/03 filed 2/12/04

b. ☒ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☒ Affidavit(s)/Declaration of Dominic P. Behan iv. ☒ Other: Preliminary Amendment; Exhibits 1-4

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1275

i. ☒ RCE fee required under 37 C.F.R. 1.17(e)

ii. ☒ Extension of time fee (37 C.F.R. 1.136 and 1.17)

iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	Quan L. Nguyen	Registration No. (Attorney/Agent)	46,957
Signature		Date	June 17, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print /Type)			
Signature		Date	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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AREN-0240 (AREN-7.US27.DIV)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Behan *et al.*

Serial No.: 09/876,252

Filed: June 7, 2001



Group Art Unit: 1646

Examiner: N. Basi

Confirmation No.: 8181

**For: NON-ENDOGENOUS CONSTITUTIVELY ACTIVATED HUMAN
G PROTEIN COUPLED-RECEPTORS**

EXPRESS MAIL LABEL NO. 963417676 US
DATE OF DEPOSIT: July 17, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

PRELIMINARY AMENDMENT AND REQUEST FOR RECONSIDERATION

In response to the Office Action mailed December 17, 2003, and the Advisory Action mailed March 9, 2004, in connection with the above-identified patent application, Applicants file a Request for Continued Examination, and further respectfully request entry of the following amendments and reconsideration of the rejections of record in view of the remarks provided below.

A **Listing of Claims**, including current amendments, begins on page 2.

The **Remarks** begin on page 11.